

**WATER RESOURCE PROTECTION PLAN
HAWAI‘I WATER WORKSHOP – MOLOKA‘I
March 17, 2015**



The Commission on Water Resource Management (Commission) is currently updating the State Water Resource Protection Plan (WRPP), a long-range plan that provides guidance and direction for protecting and managing Hawai‘i’s water resources. As a part of the WRPP update process, the Commission hosted seven “Hawai‘i Water Workshops” throughout the state to hear about water management issues and ideas in those communities. This will inform the Commission’s thinking as it formulates the WRPP Update. **These notes are for the fourth workshop, held on Moloka‘i at the DHHL/OHA Conference Room on March 17, 2015.**

ATTENDANCE

Community Participants: 24 participants signed in, it was estimated that about 30 people were present
Water Commissioners: Denise Antolini
Commission Staff: Lenore Ohye, Jeremy Kimura, Neal Fujii
Townscape (Consultant): Sherri Hiraoka

“ONE BIG WATER ISSUE”

Participants were asked to share their one big water issue to give the group an idea of where interests lay. Those issues included:

1. Really sustainable use for future generations.
2. Department of Hawaiian Home Lands (DHHL) water rights and as it relates to the Moloka‘i Irrigation System (MIS).
3. Water for DHHL.
4. Molokai Ranch’s possible negative impacts on water resources.



ONE WATER ISSUE (CONTINUED)

5. Clarification of the Waiola case - non-enforcement; and of the Water Code and water rights – East Maui and Na Wai ‘Ehā.
6. Why does the Ranch divert water without regard to ecosystems?
7. Want to see connection between water and planning – community planning.
8. Kualapu‘u Aquifer – what is the latest sustainable yield (SY)? What is the total use? What is the total allocation? How much water is there left? What are the highest uses? There is overpumping.
9. Ensure that there is enough water for DHHL agricultural lots.
10. What is the status of plans for East Molokai Watershed protection?
11. Sustainability.
12. Availability of potable water for homestead development. Impact on homesteaders from lack of water credits.
13. The State is not following Act 221. The State is charging homesteaders for the transport of water. The Act says that Hawaiians should get water free of all charges. The State is not following or enforcing the law.
14. The State is illegally occupying Moloka‘i. All Hawaiians should have free water. Hawaiians should have free water due to illegal occupation by the State.
15. How to Molokai Homesteaders make proposals to help and empower fellow Hawaiians?
16. Find a way to work with the Hawaiian community.
17. Opportunities for water to sustain agriculture today and additional sources for community needs, e.g., water rights, agriculture, etc.
18. Concerned about the lack of communication between the State and rural communities. The State needs to improve communication.
19. Lack of follow-through from the Commission with salinity levels, data availability, and sustainability.
20. Appurtenant rights need to be upheld.
21. Konohiki rights need to be considered (Mana‘e) before any water is developed.
22. Is Moloka‘i still a single source aquifer? Why did the aquifer go from a single source aquifer to multiple source without any community input?
23. Who has the right to make decisions about water rights? Moloka‘i impacts should be considered in water decisions. Kuleana rights are not heard.



ONE WATER ISSUE (CONTINUED)

24. What is the link with the community?
25. Will all of the water issues be answered?
26. How will these issues be resolved?
27. Activate the Molokai Water Working Group (MWWG) and create a permanent water advisory committee.
28. Need to link to the ‘Aha Moku.

PRESENTATION

Lenore Ohye welcomed participants to the meeting and thanked everyone for attending and Sherri Hiraoka discussed the importance of water and gave a brief introduction to water management in Hawai‘i. Jeremy Kimura then provided an overview of the Commission on Water Resource Management, Hawai‘i’s ground and surface water resources, the Hawai‘i Water Plan, known water resource issues, and water resource management strategies.

BREAKOUT GROUPS

Participants broke out into four groups to discuss water resource issues. Groups identified several issues and focused on a few issues to discuss more in depth, along with potential actions to address the issues. All of the topics are recorded below and are consolidated by topic, rather than by what group they came from.

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COMMENT/ISSUE		RESPONSE
ALTERNATIVE WATER SOURCES		
1	Relationship between Department of Health (DOH) and Commission on Water Resource Management (CWRM). Permitting for desalination projects is problematic, putting users in limbo.	CWRM and DOH coordinate on desalination projects to ensure compliance with the Safe Drinking Water Act (Title 11, Chapter 23 HAR) and the Clean Water Act (Chapter 55) by including any requirements of these federal acts as a special condition attached to CWRM’s well construction permit.
CLIMATE CHANGE		
2	Sustainability in the face of climate change - recharge of the aquifer	CWRM uses the latest recharge estimates from the U.S. Geological Survey (USGS) to derive new estimates of sustainable yield. Until more specific local impacts may be derived through the downscaling of global climate models, to be precautionary, CWRM will adopt only the most conservative estimate of sustainable yield unless there is a robust monitoring network, hydrologic studies, and numerical models. Section 3 of the update WRPP will have more information about how sustainable yields are determined.
3	What are impacts of climate change vs. diversions on stream flow?	If climate change results in lower average stream flows for an area, then a review of the instream flow standard and permitted diversions may be warranted.
4	Need public education on the impacts of climate change on the resource and how to protect source waters.	We agree public education is important. The updated WRPP will include strategies to improve community engagement and outreach.

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COLLABORATIVE/INTEGRATED LONG RANGE WATER MANAGEMENT PLANNING		
5	Use other agencies to help outreach.	See above comment.
6	What impact will DHHL's water policy have on the Commission?	DHHL's water policy supports the provisions in the Water Code and State Constitution for protecting DHHL's rights to water.
7	DHHL may issue subdivisions to create more lots - we need to work together to find solutions.	Please contact the DHHL Community Relations Office at 808-620-9590 for more information.
8	Partnerships are needed to allow everyone's needs to be served.	Strategies for establishing new partnerships and strengthening those that exist amongst various stakeholders will be discussed in the updated WRPP.
9	Key players are missing: County, Moloka'i Ranch, Department of Agriculture, Department of Health	CWRM widely publicized the workshops, but many of the stakeholders invited to the workshops did not attend. For comments and questions that are not relevant to the WRPP or CWRM, CWRM is attempting to identify the appropriate entity and provide contact information.
10	What is the County's role?	A major role of the County is to update its Water Use and Development Plan in accordance with the protection measures laid out in the WRPP and consistent with the County's current land use plans, policies, and designations, including zoning.
11	Kualapu'u aquifer: Need a stand-alone DHHL plan that is separate from the Hawai'i Water Plan.	Please contact the DHHL Community Relations Office at 808-620-9590 for more information.
12	Kualapu'u aquifer: Have DHHL send a request to the Commission to clarify issues with Kualapu'u aquifer: lack of data, clarification of rights, status of the water use permit application.	Please contact the DHHL Community Relations Office at 808-620-9590 for more information.
13	Maui never completed its Water Use and Development Plan	The Maui DWS is currently updating the Water Use and Development Plan for Maui Island. Please contact the Maui DWS' Resources and Planning Division at 808-463-3110 for more information.

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COMMUNITY REPRESENTATION/INVOLVEMENT		
14	Watershed partnerships - need education on what they do	The watershed partnerships primarily exist to enhance and protect native flora and fauna in the mauka areas. More information about the East Molokai Watershed Partnership can be found at: http://hawp.org/partnerships/east-molokai-watershed/
15	Sustainable yields - how are they determined? Translate them into lay terms	To determine sustainable yield, CWRM first needs to determine the amount of rainfall that recharges the aquifer. In order to protect the aquifers and provide for environmental needs, not all of the recharge may be withdrawn. Sustainable yield is that fraction of recharge that the CWRM determines can be withdrawn without impairing the utility or quality of the aquifer. In general, CWRM relies models to determine the amount that can be withdrawn. Section 3 of the WRPP will include a discussion of the methodology for determining sustainable yields.
16	Disseminate the USGS 3D model to the public. Feed community data into the model when developing SY for Molokai. When will updates be available?	For more information, you can contact the USGS Pacific Islands Water Science Center at 808-690-9600.
17	COMMUNICATION! The Commission needs to let the community know what's truly going on so it can be processed for decisions. Employ the Precautionary Principle.	The updated WRPP will include strategies to improve community engagement and outreach. In addition, if you would like to receive our meeting agendas and/or our monthly bulletin, please send an email containing your email address to dlnr.cwrp@hawaii.gov . If there is any CWRM issue that you would like more clarification about, please feel free to contact us at 1-800-468-4644 (extension 70214).
18	Commission approvals only stopped when there was testimony against them. We need avenues to communicate with the Commission!	Please see above comment.
19	Commission needs to provide more data on water resources. There is a lack of easily accessible data for the public.	The updated WRPP will include strategies to increase data collection and the accessibility of data. Please contact CWRM at 1-800-468-4644 (extension 70214) if there is any water resource data we can help you obtain at this time.

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COMMUNITY REPRESENTATION/INVOLVEMENT		
20	Kualapu‘u aquifer: There is a lack of access to data: water use, levels, quality.	CWRM is working to put water use data on its website. For now, please contact us at 1-800-468-4644 (extension 70214) and we can provide you this information. The USGS has a deep monitor well in the Kualapuu Aquifer System Area and data can be viewed on their website at: http://waterdata.usgs.gov/hi/nwis/uv?site_no=210825157004301 .
21	Kualapu‘u aquifer: Have USGS give updates on data for the entire island and current status of aquifers to community on a regular basis.	Please contact the USGS Pacific Islands Water Science Center at 808-690-9600 to communicate your desire for regular updates.
22	Kualapu‘u aquifer: Provide updates on the latest studies on water quality and quantity.	We have informed the DOH and Department of Agriculture (DOA) about the concern regarding the potential for pesticides in the Kualapuu Reservoir and aquifer. Kualapuu Reservoir and aquifer have been placed on a list of water quality data gaps to be considered for future sampling. Please contact Fenix Grange of the DOH’s Hazard Evaluation and Emergency Response Office at 808-586-5815 for more information.
23	Kualapu‘u aquifer: The Commission should provide easily accessible data on water resources on the Commission website.	The updated WRPP will include strategies to improve the accessibility of water resource data, including the posting of data on our website.
24	East Moloka‘i Customary Native Rights: provide updated information on diversions to the community.	Information on registered and permitted stream diversions can be requested through the Stream Protection and Management Branch at 1-800-468-4644 (extension 70234).
25	Maui never completed its Water Use and Development Plan	Maui Department of Water Supply is currently in the process of updating its Water Use and Development Plan (WUDP) for the island of Maui. Molokai’s WUDP is scheduled to be updated next. Please contact the Maui DWS’ Resources and Planning Division at 808-463-3110 for information.

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DATA COLLECTION, MONITORING, AND ANALYSIS		
26	We need good data: water use, withdrawal, watershed partnerships, water conservation	CWRM collects water use data statewide and monitors ground and surface water resources in selected areas. CWRM also partners with the USGS to collect ground water, streamflow, and rainfall data. Other entities also collect hydrologic data. Section 4 of the WRPP will include further information about the CWRM’s and other data collection program and actions needed to improve it. Section 7 of the updated WRPP will have information on CWRM’s and other agencies’ water conservation programs.
27	Why hasn't the Waiola Supreme Court decision been followed up on?	Please contact the CWRM Ground Water Regulation Branch at 1-800-468-4644 (extension 70225) for more information.
28	There is a lack of instream monitoring. USGS lost funding. It takes \$22,000-\$24,000 for each monitoring station. Partnerships are needed	USGS engages in cooperative agreements with the CWRM, as well as numerous other entities, to collect data. This allows partner agencies to share in the cost of data collection. More partnerships would help to increase data collection efforts.
29	We need data - how much water do we have and how much are we using?	Section 3 of the updated WRPP will discuss aquifer sustainable yields and instream flow standards, which set the limits for ground and surface water availability, respectively. Water use data are collected by CWRM and is available upon request. We are working to make the data more accessible to the public. For now, please contact us at 1-800-468-4644 (extension 70225) to obtain water use information.
30	Kualapu‘u data: salinity, sustainable yield, total allocation, total use.	The sustainable yield for the Kualapu‘u Aquifer System Area is 5 MGD. Current allocations, including the reservation for DHHL, total 3.824 MGD. The 12-month moving average withdrawal as of May 2015 is 1.433 MGD.
31	We need studies on GMO pesticide contamination of the Moloka‘i Irrigation System.	DOA Pesticides Branch and DOH are working together to identify data gaps with respect to offsite movement of current use pesticides. Please contact DOA Pesticides Branch at 808-973-9402 or the DOH Hazard Evaluation and Emergency Response Office at 808-586-5815 for more information.

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DATA COLLECTION, MONITORING, AND ANALYSIS		
32	East Moloka‘i Customary Native Rights: Verification of active surface water diversions	CWRM’s Stream Protection and Management Branch is responsible for verifying all registered surface water diversions. Please contact the Stream Protection and Management Branch at 1-800-468-4644 (extension 70234) if you would like information on verified diversions.
GOVERNANCE AND COMMUNITY-BASED WATER MANAGEMENT		
33	Does the Commission uphold the law?	The Commission is guided by the State Constitution, Water Code, and relevant case law.
34	Include on the Commission at least: knowledge of konohiki/kuleana and ‘Aha Councils	All CWRM members are required to have substantial experience in water resource management, and at least one member shall have substantial expertise in traditional Hawaiian water resource management techniques and in traditional Hawaiian riparian usage.
35	Reconvene the Working Group to vet the water use permit applications.	As part of its standard processing procedure, CWRM staff sends each member of the Water Working Group every water use permit application filed for Molokai for their review and comment.
36	The County should take over Well 17.	Please contact the Maui DWS’ Resources and Planning Division at 808-463-3110 to share your suggestion.
INFRASTRUCTURE/CONVEYANCE		
37	Who pays for water delivery? Between water infrastructure and water rights, those who own one may not own the other.	In most cases, end users of the water system must support the operation and maintenance costs of water delivery system.
38	The MIS was federally funded. The feds and State need to step up for repair and maintenance.	Please contact the Department of Agriculture Office of the Chairperson at 808-973-9560 to share your concern.

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INFRASTRUCTURE/CONVEYANCE		
39	Are there additional sources for the Moloka‘i Irrigation System?	According the 2004 Agricultural Water Use and Development Plan, the MIS is supplied by 4 surface water diversions and 5 wells in the Waikolu Watershed and Aquifer System Area. The report notes that additional water sources are needed during droughts and possible sources include brackish wells and recycled water. There are no applications for new MIS sources pending before the CWRM at this time.
40	Moloka‘i Ranch is a purveyor but is not carrying out its responsibilities	Moloka‘i Ranch’s water system is regulated by the Public Utilities Commission (PUC). Please submit any complaints or concerns to the PUC at http://puc.hawaii.gov/filing/complaint/formal-complaints/ .
41	Ranch needs an easement over DHHL. The Ranch wants a bigger pipe. They have a 6" pipe to Punana and a 5" pipe to the industrial park. They have a 12" pipe, but it's empty; they didn't get the Waiola water use permit. They are using an 8" to 6" pipe.	Please contact the DHHL Community Relations Office at 808-620-9590 for information regarding a possible easement over DHHL lands.
42	Will there be a new well in Kualapu‘u? County.	CWRM does not have any pending applications for a new well in Kualapuu for Maui County.
43	Need to discuss Well 17 issues. Well 17 is still in use without an approved water use permit.	CWRM is awaiting completion of new water use permit applications from DHHL and Molokai Ranch, who are competing users for the available allocation from the Kualapuu Aquifer System Area.
44	Waihanao (DHHL source) not utilized. Need to find out status and possible rehabilitation.	Please contact the DHHL Community Relations Office at 808-620-9590 for more information.

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LAND USE/WATER USE		
45	Connection between land and water: we need a model and direction for developing community plans and water plans	The Hawaii Water Plan promotes coordinated land and water use planning. As part of the Hawaii Water Plan, the County Water Use and Development Plans sets forth the allocation of water to land use and must be consistent with County land use plans and policies. The CWRM's Framework for updating the Hawaii Water Plan contains additional guidance and recommended elements for the updating of the Water Use and Development Plans.
46	We need to link land use and water to establish carrying capacities. How are water uses denied?	The concept of carrying capacity in terms of water sustainability is addressed in part through the County Water Use and Development Plans. Proposed new uses in designated water management areas, which includes all the aquifers on the Island of Molokai, must meet the legal criteria for obtaining a water use permit.
47	Tie water allocations back to the County land use plans	See response to comment 45.
48	Waihānau Valley was taken through eminent domain for water use, but the water from the old mountain system is no longer being used. Return the lands!	CWRM has not taken any eminent domain actions on Molokai. If you provide more information, we will try to identify the appropriate agency and forward your comment.

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MANAGEMENT OF WATER AND ENFORCEMENT		
49	Feed all data into decisions for siting future wells and re-siting existing wells, if necessary.	CWRM data are available to the public. We respond to numerous requests for information on existing wells for use in siting new wells.
50	Does DHHL have to sue the Commission in order to get water?	In designated water management areas, DHHL may apply for a water use permit to receive an allocation. In non-designated areas, DHHL may apply for well construction/pump installation permits or stream diversions works permits, and no water use permit is required.
51	Enforce law on Moloka‘i Ranch: private benefits vs. public rights. There should be fines for violations and annual fees for private uses.	CWRM has the authority to issues fines of up to \$5,000 per day for violations of the Water Code, its Administrative Rules, permit conditions or orders issued by the CWRM. CWRM has not established fees for private uses of water.
52	Lack of Commission enforcement leads to a lack of confidence. The public trust is scrutinized. Ranch hasn't been penalized or enforced.	Molokai Ranch has filed a completed water use permit application for its ongoing use of Well 17. CWRM is awaiting completion of competing new use permits from the County and DHHL prior to taking any action on Molokai Ranch’s pending application.
53	Kualapu‘u aquifer: Lack of Commission enforcement on County to leave well field.	Water use permit violations in Kualapuu will be addressed when competing new water use permit applications are taken up by CWRM.
54	Kualapu‘u aquifer: The Commission should enforce conditions on the County per agreements on salinity levels and use close to sustainable yields.	CWRM is awaiting new water use permit applications from the County and DHHL and will adjudicate these permit applications in conjunction with the pending new use application by Molokai Ranch. Any violations of existing permits by these permit holders will be taken up at that time.
55	Kualapu‘u aquifer: Protection is an every day practice, not a policy.	Thank you for your comment.

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STATE WATER CODE		
56	Hierarchy of water - enforce the Water Code	CWRM is required to identify and mitigate impacts on the four public trust uses of water (resource protection, traditional and customary rights, DHHL reservations, and water for domestic needs), in its consideration of other proposed reasonable and beneficial uses of water.
57	Keep the Water Code current! Update data and methodologies.	The Water Resource Protection Plan is the means by which CWRM can update its protection and management policies based on the best available information on Hawaii’s water resources.
STREAM PROTECTION		
58	Are there interim IFS for Molokai? Yes, but will there be measurable IFS for Molokai?	Interim IFS for Molokai streams have been established. CWRM staff is working towards establishment of measureable IFS for all streams statewide.
59	Set instream flow standards for windward streams, including Kawela	We have forwarded your comment to our Stream Protection and Management Branch for consideration in their prioritization of streams for establishment of measurable IFS.
60	How are interim instream flow standards set?	When establishing instream flow standards CWRM must balance the impact on instream flow uses (such as Native Hawaiian water rights, ecosystem maintenance, etc.) against the public interest in allocating water for off-stream purposes such as agriculture or commercial uses. Section 3 of the updated WRPP will have more information about the IFS process.

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WATER QUANTITY AND QUALITY		
61	East Moloka‘i Customary Native Rights: lack of source protection	Please provide more information so we may better understand this issue.
WATER RIGHTS		
62	"Who gets to drink first?" How much?	The State Water Code states that CWRM has a responsibility to ensure the protection of Hawaii’s water resources while allowing for reasonable and beneficial uses. There are four established public trust uses of water: resource protection, traditional and customary rights, domestic use, and DHHL reservations.
63	Act 221, Hawaiian Homes Commission Act: Homesteads should get free water	Please contact the DHHL Community Relations Office at 808-620-9590 for more information.
64	Who has konohiki and kuleana rights?	Until 1973, “konohiki lands,” or lands whose title had passed from persons documented as konohiki, owned the “normal daily surplus water” in excess of waters reserved by appurtenant and prescriptive rights. In 1973, the Court ruled that there can be no “normal daily surplus water,” because the recognition of riparian rights entitled owners of riparian lands to have the flow of the watercourse in the shape and state given it by nature. Traditional and customary rights include but are not limited to the cultivation or propagation of taro on one’s own kuleana. These rights will be discussed in Section 2 of the updated WRPP.
65	Who has appurtenant and riparian rights?	Appurtenant water rights are tied to parcels of land that were using water at the time of the Great Mahele. Anyone with land adjacent to a stream has riparian rights to use water from that stream.
66	Define and apply customary rights.	Article 12, § 7 of the State Constitution states that: “The State reaffirms and shall protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua`a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, subject to the right of the State to regulate such rights.”

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WATER RIGHTS		
67	Clarification of Waiola Case: impact of water use on the resource and traditional & customary rights; what does it mean for the Kukui decision and use?	The water use permit for Well 17 was vacated and a new application is pending before the CWRM. CWRM will apply the Water Code provisions and lessons learned through case law in its adjudication of the water use permit for Well 17.
68	Defining water rights in Kualapu‘u aquifer. DHHL already has a reservation and should be able to utilize it now.	DHHL may apply to convert a portion of their reservation to a water use permit at any time.
69	Kualapu‘u aquifer: County, Ranch, DHHL are all users. Who gets priority of rights? Well interference from all users.	Molokai Ranch has filed a completed water use permit application. CWRM is awaiting completion of new water use permits from the County and DHHL and will be determining allocations for each.
70	Kualapu‘u aquifer: The Commission should clarify if there is a conflict of interest in implementing enforcement of the public trust. Discuss priorities and clarification if an entity with lesser rights blocks someone with higher rights	CWRM will apply the Water Code provisions and lessons learned through case law in its adjudication of competing water use permits.
71	East Moloka‘i Customary Native Rights: appurtenant and riparian rights are not being recognized or acknowledged.	If you have a water right that is being abridged, please file a complaint so that we may initiate an investigation. Complaint forms can be found on our website at http://dlnr.hawaii.gov/cwrm/info/forms/
72	East Moloka‘i Customary Native Rights: Commission needs to define water rights that will affect watershed partnership projects.	Please provide more information on the types of rights in question and how watershed projects might be affected.
73	East Moloka‘i Customary Native Rights: Need to define hierarchy of rights. Do Native tenants have priority over State uses?	CWRM is required to balance the impacts on the four public trust uses of water (resource protection, traditional and customary rights, DHHL reservations, and domestic needs), in its consideration of reasonable and beneficial uses of water in the public interest.

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WATER SCARCITY/AVAILABILITY OF WATER		
74	Availability of potable water to put people on the land.	CWRM sets sustainable yields, which allow water purveyors to determine the amount of water that can sustainably be provided from an aquifer system area. Water purveyors need to develop a water infrastructure master plan to program the funding needed to meet water needs in areas of increased growth.
75	DHHL's allocation needs to be increased	DHHL can request an increase in their allocation for water from any aquifer system area at any time.
76	Need to increase system capacity for DHHL.	Please contact the DHHL Community Relations Office at 808-620-9590 for more information.
77	Availability of potable water to put people on the land.	See above response in 74
78	The policy that unused allocations of water are taken away leads to waste (unused allocations are diverted to maintain the appearance of use to preserve the allocation for future needs). We need to monitor actual use and allocation. Can there be a reservation of existing water allocation for future use?	Section 174C-58 HRS, which provides for revocation of water use permits, includes a provision allowing for the CWRM and permittee to enter into a written agreement to toll the period of nonuse.
79	There are illegal uses of the Moloka‘i Irrigation System. It should be used for agriculture.	Please contact the Department of Agriculture Office of the Chairperson at 808-973-9560 for more information.
80	Moloka‘i Ranch - illegal uses of water	Molokai Ranch has filed a completed water use permit application for its ongoing use of Well 17. CWRM is awaiting completion of competing new use permits from the County and DHHL prior to taking any action on Molokai Ranch’s pending application. If you believe there may be illegal uses of water, please contact our Ground Water Regulation Branch at 1-800-468-4644 (extension 70225).

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WATER SCARCITY/AVAILABILITY OF WATER		
81	How much can Well 17 provide without importing from other wells?	Well 17 will be limited by the allocation approved by the CWRM, which is yet to be determined.
82	Are there alternate sources?	Applicants for water use permits must do a thorough analysis of alternatives, and show that no alternatives exist, in order to obtain an allocation from the CWRM.
83	Need permanent transmission	CWRM does not have authority or jurisdiction over transmission pipes or infrastructure.
84	Three major users in Kualapu‘u. All interfere. DHHL trying to get more allocation; Commission has not approved an increase in the allocation; there is pending request to increase the water use permit allocation from Kualapu‘u. The Commission is still considering other requests.	See response to Comment 80.

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WATERSHED MANAGEMENT		
85	Streams have standing. The Ranch should replant the forest.	The DLNR Division of Forestry and Wildlife administers the State’s watershed protection and management programs. Please contact them at 808-587-0166 for more information.
86	East Moloka‘i watershed protection plan proposes to fence the forest, but fencing stresses the zones outside of the fence.	The DLNR Division of Forestry and Wildlife administers the State’s watershed protection and management programs. Please contact them at 808-587-0166 for more information.
87	The Nature Conservancy East Moloka‘i Watershed Plan: do not agree with fencing. The fence is not continuous. How does it affect kuleana rights?	The DLNR Division of Forestry and Wildlife administers the State’s watershed protection and management programs. Please contact them at 808-587-0166 for more information.
OTHER COMMENTS		
88	Moloka‘i Ranch limited easement and access leads to high costs.	Molokai Ranch is a regulated public utility and rates are determined by the Public Utilities Commission.
89	Environmental Impact Statement for use of Moloka‘i Irrigation System is pending new lease.	Thank you for your comment.
90	Water use categories/priorities: food vs. seed vs. ornamental crops. Food -> lower \$	CWRM is not aware of any State priorities or policies regarding the value of different types of agriculture.
91	Commission process (Molokai Ranch’s) permit	Molokai Ranch has filed a completed water use permit application for its ongoing use of Well 17. CWRM is awaiting completion of competing new use permits from the County and DHHL prior to taking any action on Molokai Ranch’s pending application.
92	DHHL is subject to source water protection guidelines, but not other users subject to the same rules.	Please contact the DOH Safe Drinking Water Branch at 808-586-4258 for more information.



NEXT STEPS

- Workshop notes
 - Notes from the Water Workshops will be posted to the Water Resource Protection Plan Update website at:
<http://dlnr.hawaii.gov/cwrm/planning/hiwaterplan/wrpp/wrpp2014/>
 - The Commission will share the notes from this workshop with other water agencies that had comments and/or questions relating to their missions and purviews.
- Remaining Workshops: Workshops are being held on Kaua‘i, Hawai‘i Island (Kona and Hilo). Please see the WRPP Update website for dates and locations.
- Schedule: The Public Review Draft WRPP Update is expected in Summer 2015. Public Hearings on the Draft will be held in late 2015, with the Final Plan report expected in Spring 2016.

HANDOUTS

- WRPP Update Fact Sheet
- Hawaii Water Workshop Agenda
- Slideshow Presentation
- Comment Sheet